

DOCKET NO.: DIBIS-0003US
Application No.: 09/891,793
Office Action Dated: January 8, 2007

PATENT

Amendments to the Specification:

Marked Version

Please replace paragraph [0033] with the following:

[0033] Figures 1A-1H and Figure 2 are representative consensus diagrams that show examples of conserved regions from 16S rRNA (Fig. ~~[[1A-1]]~~ 1A, 1A-2, 1A-3, and 1A-4, ~~and 1A-5~~), 23S rRNA (3'-half, Fig. 1B, 1C, and 1D; 5'-half, Fig. 1E-F), 23S rRNA Domain I (Fig. 1G), 23S rRNA Domain IV (Fig. 1H) and 16S rRNA Domain III (Fig. 2) which are suitable for use in the present invention. Lines with arrows are examples of regions to which intelligent primer pairs for PCR are designed. The label for each primer pair represents the starting and ending base number of the amplified region on the consensus diagram. Bases in capital letters are greater than 95% conserved; bases in lower case letters are 90-95% conserved[[.]]; filled circles are 80-90% conserved; and open circles are less than 80% conserved. The label for each primer pair represents the starting and ending base number of the amplified region on the consensus diagram. The nucleotide sequence of the 16S rRNA consensus sequence is SEQ ID NO:3 and the nucleotide sequence of the 23S rRNA consensus sequences is SEQ ID NO:4.

Please replace paragraph [0034] with the following:

[0034] Figure 2 shows a typical primer amplified region from the 16S rRNA Domain III shown in ~~[[1A-1]]~~ 1A and 1A-2.

Please replace paragraph [0057] with the following:

[0057] As used herein, "intelligent primers" are primers which bind to sequence regions which flank an intervening variable region. In a preferred embodiment, these sequence regions which flank the variable region are highly conserved among different species of

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bioagent. For example, the sequence regions may be highly conserved among all *Bacillus* species. By the term "highly conserved," it is meant that the sequence regions exhibit between about 80-100%, more preferably between about 90-100% and most preferably between about 95-100% identity. Examples of intelligent primers which amplify regions of the 16S and 23S rRNA are shown in Figures 1A-1H and 2 [[1]]. A typical primer amplified region in 16S rRNA is shown in Figure 2. The arrows represent primers which bind to highly conserved regions which flank a variable region in 16S rRNA domain III. The amplified region is the stem-loop structure under "1100-1188."

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REMARKS

Applicants have amended the specification to comply with a Notice of Drawing Inconsistency with the Specification dated January 8, 2007. In the Notice, Examiner has stated that Figures 1a-1 and 1a-5 are listed in the Brief Description of the Drawings, but have no corresponding Drawings. Examiner has also stated that a Drawing labeled "1a" is presented; however, without any corresponding description in the Brief Descriptions of the Drawings. Applicants hereby amend the specification at paragraphs 0033, 0034 and 0057 to bring the specification into conformity with the Drawings. No new matter has been added by these amendments.

During prosecution of the instant application, Applicants submitted new drawings pursuant to a request to provide electronically reproducible drawings. The content of the new drawings remained unchanged compared to the original drawings. However, some of the original drawings were divided into sections and placed on more than a single drawing sheet, thus improving electronic reproducibility for the new drawings. Applicants also amended the Specification's Brief Description of the Drawings to correspond the description of the drawings to the newly numbered drawing sheets. In doing so, Applicants inadvertently failed to number the drawing sheet labeled Figure 1A as Figure 1A-1, though the drawing was referred to as Figure 1A-1 in the amendments to the specification. Applicants hereby correct this oversight by amending the specification to refer to Figure 1A rather than Figure 1A-1. Applicants also inadvertently amended the Specification to recite Figure 1A-5. There is no Figure 1A-5 shown in the drawing or referred to in the specification. Thus, Applicants hereby delete this reference. Other amendments made to the specification are merely to bring further sections into conformity with the above. Despite the minor omissions made in Applicants' earlier submissions, the specification still clearly referenced the drawings. The current amendment remedies these above mentioned oversights, thus resolving the Noticed inconsistency. No new matter has been added by these amendments.

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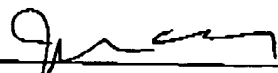
It is believed that there are no fees due. However, if a fee is due, the Commissioner is hereby authorized to charge the appropriate amount to the Deposit Account Number 50-0252 referencing docket number DIBIS-0003US.

CONCLUSIONS

Applicants believe that the above amendments and remarks are fully responsive to the Notice of Drawing Inconsistency with Specification. The Publication Examiner is encouraged to call the undersigned should he/she have any further questions.

Respectfully submitted,

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